

11. MEDICAL EMERGENCY

A. General. A utility must not disconnect or refuse to reconnect the service to any dwelling when either the customer or the occupant is certified by a registered physician to have a medical condition that will be seriously aggravated by lack of utility service.

B. Postponement of Disconnection Pending Receipt of Certification. If a customer or occupant gives oral or written notice to a utility employee of the existence of a medical emergency and that a certification will be obtained by a registered physician before disconnection, the utility must not disconnect for a least three (3) business days. If the certification is not received within three (3) business days, the utility may continue the disconnection procedure. The effective period of the disconnection notice can be extended to accommodate this three-day period if the utility orally informs the customer of the extension.

C. Certification Procedure and Contents. Certification of a medical emergency by a registered physician may be oral or written, but the utility may require written confirmation within seven (7) days of an oral declaration. A utility must accept an oral declaration by an employee or agent acting on behalf of the physician. The utility may require a written certification to include the following if the utility provides a form for the physician to complete:

1. the name and service location of the customer (to be provided by the utility);
2. the name and address of the person with the medical emergency;
3. a statement that a serious illness or medical condition exists which would be seriously aggravated by lack of utility service;
4. the anticipated length of the medical emergency;
5. the specific reason why continued service is required; and
6. the name, office address, telephone number and signature of the certifying physician.

D. Length of Postponement; Renewals.

A utility must not disconnect the customer for the time period specified in the certification or thirty (30) days, whichever is less. If the certification does not specify a time period or it is not readily ascertainable, the utility must not disconnect for a least thirty (30) days. A certification may be renewed for additional periods up to 30 days each as long as the medical emergency exists.

E. Reconnection of Service. When service is required to be reconnected under this Section, the utility must make a diligent effort to reconnect service on the day it receives the certification of medical emergency. In any case, service must be reconnected before the end of the next business day.

F. Customer's Duty to Pay or Make a Payment Arrangement. Whenever disconnection is postponed or service reconnected as a result of a medical emergency, the utility must inform the customer of the continuing duty to pay or make a payment arrangement for the amount overdue. A utility must offer to refer a customer to possible sources of financial assistance for the payment of the utility bill when a medical emergency is declared.

G. Condition of Renewal. A utility may require a customer to enter into a payment arrangement for an overdue amount as a condition of renewal of a medical emergency certification. A telephone utility may require the customer to obtain toll restriction services or limit toll usage to a specified amount if toll service is required for the medical emergency. If a customer refuses to enter into a payment arrangement as a condition of renewal of the certification or fails to comply with a payment arrangement negotiated as a condition of renewal, the utility can disconnect service only by obtaining an exemption from the Commission according to Section 14(B)(2).

H. Disconnection Upon Expiration of a Certification. A utility can begin disconnection procedures when a certification of medical emergency expires if the customer has failed to pay or enter into a payment arrangement for the amount overdue.

BASIS STATEMENT: The factual and policy basis for this rule is set forth in Commission's Statement of Factual and Policy Basis and Order Adopting Rule, Commission Docket No. 2002-698 issued on May 6, 2003. Copies of this Statement and Order have been filed with this rule at the Office of the Secretary of State. Copies may also be obtained from the Administrative Director, Public Utilities Commission, 242 State Street, Augusta, Maine 04333-0018.

AUTHORITY: 35-A M.R.S.A. §§104, 111, 704 and 1308.

EFFECTIVE DATE: This rule was approved as to the form and legality by the Attorney General _____. It was filed with the Secretary of State on _____ and will be effective on _____.